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**EXHIBIT 12-E PS&E CHECKLIST INSTRUCTIONS**

The PS&E Checklist is to be completed by the local agency in accordance with the following instructions and attached to the PS&E Certification.

**I. HIGHWAY SYSTEM AND FUNCTIONAL CLASSIFICATION****A. National Highway System**

Some PS&E requirements depend on the whether the project is on or off the National Highway System (NHS). For FHWA approved NHS maps, see [http://www.fhwa.dot.gov/planning/national\\_highway\\_system/nhs\\_maps/](http://www.fhwa.dot.gov/planning/national_highway_system/nhs_maps/)

**B. Functional Classification**

Federal-aid eligibility, design standards as well as some PS&E requirements depend on the functional classification of the route the project is on. For more guidance see FHWA's Guidance for the Functional Classification of Highways Website at: <http://www.fhwa.dot.gov/policy/ohpi/hpms/fchguidance.cfm>.

**II. PROJECT SCOPE OF WORK**

Scope of work in the PS&E must be consistent with that identified in the original scoping document or application. Otherwise, appropriate approvals must have been obtained.

**III. TYPE OF CONSTRUCTION**

Design standards as well as some oversight responsibilities depend on the type of construction. See Section 11.1 of the LAPM for definitions.

**IV. METHOD OF CONSTRUCTION****A. Contracting Method**

Unless justified by a Public Interest Finding (Exhibit 12-F *Request for Approval of Cost-Effectiveness/Public Interest Finding*), all Federal-aid construction contracts must be awarded to the lowest responsible bidder of a competitive bid process. See Section 12.4 *Method of Construction* of the LAPM for additional information.

**B. Force Account (Day Labor)**

A PIF (See Section 12.4 *Method of Construction* in the LAPM and Exhibit 12-F *Request for Approval of Cost-Effectiveness/Public Interest Finding*) must justify any force account construction work performed by the local agency. Check the appropriate boxes and process the PIF as required.

**V. ENVIRONMENTAL ANALYSIS**

The preparation of PS&E must reflect findings of the environmental analysis performed for the project. By checking the box, the agency certifies that the necessary actions called for by the environmental documents have been responded to in the PS&E. Failure to check the box will result in denial of the Request for Authorization. (See Section 12.3 *Environmental Procedures* of the LAPM for additional guidance).

**VI. VALUE ENGINEERING ANALYSIS (VA)**

A value engineering analysis is required for: (1) all Federal-aid highway projects on the NHS with a total estimated project cost of \$50 million or more, and (2) all bridge projects on the NHS with a total estimated project cost of \$40 million or more. (See Section 12.5 *Value Engineering Analysis* of the LAPM for additional guidance).

**VII. GEOMETRIC DESIGN STANDARDS**

If the project does not change existing geometrics, Section A and B do not apply and the local agency is not required to check any boxes in these sections. See Chapter 11 of the LAPM for additional guidance on geometric design standards.

**A. Geometric Design Standards Used**

New and reconstruction projects on the NHS shall be designed in accordance with Standards as defined in the current edition of *A Policy on Geometric Design of Highways and Streets*, published by the American Association of State Highway and Transportation Officials (AASHTO). The minimum standards for geometric design of local Federal-aid resurfacing, restoration and rehabilitation (3R) projects on the NHS are shown in Exhibit 11-A. Local geometric design standards that have been developed for use on locally funded new and reconstruction, or 3R projects off the NHS, may be used subject to the conditions listed in Chapter 11, "Design Standards." Check appropriate box only if this section applies.

**B. Deviations from Controlling Criteria**

The controlling criteria listed are considered to be of primary importance for highway safety, and deviations require design exception approval procedures as described in Chapter 11, "Design Standards," and Section 12.7 "Plans" of the LAPM. Check whether the criteria have been met on this project. If a design exception has been approved, indicate the approval date. Documentation shall be retained in the project files.

**VIII. BRIDGE DESIGN PROCEDURES**

All bridges shall be designed in accordance with the current edition of the *Caltrans Bridge Design Specifications Manual and the latest California Amendments to the AASHTO LRFD Bridge Design Specifications*. Check if requirement met, or if the project does not include any bridge construction indicate requirement does not apply.

**IX. STANDARD PLANS**

For projects off the State Highway System, the local agency may use Caltrans Standard Plans, Standard Plans for Public Works Construction, or subject to the conditions described in Section 11.3 *Locally Developed Design Standards* and Section 12.7 *Plans* of the LAPM.

**X. PROJECT PLANS AND SPECIFICATIONS**

Project plans and specifications shall be signed and stamped on behalf of the local agency by the person in responsible charge and who is a registered professional engineer licensed to practice in the State of California. (See Section 12.7 *Plans* of the LAPM).

A traffic control plan shall be included in the PS&E for all Federal-aid highway construction projects. Check boxes to indicate requirements are met. Failure to check both boxes will result in denial of the Request for Authorization.

Erosion control plans may be required, see Section 12.7 *Plans*, in the LAPM. If required, check box.

Whenever applicable, project plans and specifications will need to comply with the federal Americans with Disabilities Act (ADA) requirements 28 CFR, Part 35 or Part 36, and the *California and Local Building Codes* within the project limits. In accordance with 28 CFR Sec. 35.151, curbs ramps must meet current ADA standards if the project includes streets that are to be newly constructed or altered (includes repaving). For ADA requirements, see Chapter 11 "Design Standards," and Section 12.7 of this chapter. If ADA requirements apply and will be complied with, check box.

**XI. STANDARD SPECIFICATIONS**

For projects off the State Highway System, the local agency may use *Caltrans Standard Specifications*, the *Standard Specifications for Public Works Construction*, or subject to the conditions described in Section 11.3 *Locally Developed Design Standards* of the LAPM.

**XII. FEDERAL REQUIREMENTS**

- A. Required Federal Contract Provisions** - Ensure Exhibit 12-G *Required Federal-aid Contract Language* or equivalent provisions are in the contract. Provide page numbers if not using Caltrans 2010 Standard Specifications and Revised Standard Specifications (RSS). RSS must be included in your contract special provisions.

Provisions for liquidated damages shall be included in all Federal-aid contracts on the NHS (see Chapter 12 *Plans, Specifications & Estimate* of the LAPM for requirements).

Current Buy America regulations are discussed in Section 12.8 *Federal Contract Requirements* of the LAPM. Buy America requirements do not apply to minimal use of the material such that the cost, delivered to the project site, is less than \$2,500 or one-tenth-of-one-percent of the contract amount, whichever is greater. Buy America applies if federal dollars are used on any phase of the project.

Chapter 12 *Plans, Specifications & Estimate* of the LAPM includes information for On-the-Job Training.

**B. DBE Goal**

Individual DBE contract goals will be established. Complete evaluation documentation is required and shall be retained for each contract (see DBE references in the LAPM).

In some cases, the contract DBE goal may be zero due to the extremely limited subcontracting opportunities for DBEs, the lack of certified DBEs willing to work in the geographic area in which work is to be performed, or other reasons. Documentation is required verifying that the local agency has determined that a zero percent DBE goal is appropriate. Documentation must be based on the DBE contract goal methodology with the specific project-related work codes and DBEs highlighted. In some cases there may be no contract goal (which is different than zero percent goal) if, for example, the contract is sole-source or non-profit.

**C. Certification/Disclosures**

The certification and disclosure forms listed in Exhibit H *Sample Bid* shall be included in all Federal-aid projects. Except for the Disclosure of Lobbying form and instructions, equivalent provisions may be used. See Section 12.8 *Federal Contract Requirements* of the LAPM for more information.

**D. Other Required Forms**

Two forms, or their equivalents, relating to subcontractors must be included as part of the bid package. - Exhibits 15-G *Local Agency Bidder DBE Commitment (Construction Contracts)*, and 12-B *Bidder's List of Subcontractors (DBE and Non-DBE)*. Exhibit 15-H *DBE Information - Good Faith Efforts* must also be part of the bid package if the DBE goal was not met.

**E. Federal Wage Rates**

If payment of federal predetermined wages are required per instructions in Subparagraph B.2.a "Section IV. Payment of Predetermined Wages," they shall be physically incorporated into the final contract documents and in all related subcontracts signed by the local agency and the contractor.

Check appropriate box (i.e., Federal Wage Rates are included in the contract advertising package, referenced by the Internet Web site address, or not required) and indicate page number if applicable.

It must be emphasized that if the Internet Web site address is used in the advertising package, the final contract package upon signed by the local agency and the contractor, must physically contain the Federal Wage Rates or the Federal Wage rates as revised by addendums, if any addendums were issued.

By checking the box the local agency is indicating that they are aware of the Federal-aid “10-day rule” for federal wage rates. See Section 12.9 Required Federal Contract Provisions – Federal Wage Rates for local agency requirements under the “10-day rule.”

**F. Relations with Railroad**

Where construction of a Federal-aid project requires use of railroad properties or adjustments to railroad facilities, there shall be an agreement in writing between the local agency and the railroad company. The pertinent portions of the agreement applicable to any protective services required during performance of the work shall be included in the project specifications and special provisions.

Check appropriate box (i.e., provisions are included or not required). If provisions are included, indicate page number.

**XIII. RESTRICTED CONTRACT PROVISIONS**

Unless otherwise noted, see Section 12.10 of Chapter 12 for detailed guidance.

**A. INDIAN PREFERENCES**

Generally, local agencies may not use local hiring practices. However, SAFETEA-LU permits an Indian employment preference provision for projects on or near Indian reservations or Indian lands. Check the appropriate box.

**B. BONDING AND PREQUALIFICATION**

Bonding and prequalification procedures are not required for Federal-aid projects. However, any procedures or requirements for bonding, insurance, prequalification, qualification, or licensing of contractors shall not be used which may operate to restrict competition, prevent submission of a bid by or prohibit consideration of a bid submitted by any responsible contractor, whether a resident or nonresident of California. Check appropriate boxes, and if bonding and/or prequalification are used, check the last box to indicate the requirement will be met.

**C. PRICE ADJUSTMENT CLAUSES**

Price adjustment clauses may be implemented if certain conditions are met. If these clauses are used, the local agency must provide documentation of the required conditions in the project files. Check the appropriate box.

**D. WARRANTY CLAUSES**

Warranty clauses may be implemented if the conditions described in Section 12.12 of Chapter 12 are met. The local agency must provide documentation of the required conditions in the project files. Check the appropriate box.

**E. PROPRIETARY ITEMS**

The use of proprietary items is restricted as described in Section 12.12 in Chapter 12. If the use does not meet these restrictions, a Public Interest Finding justifying the use must be approved by the local agency and documented in the project files. Check the appropriate box.

**XIV. MATERIALS AND EQUIPMENT**

Unless otherwise noted, see Section 12.12 of Chapter 12 for details.

**A. Publicly Owned Equipment (for use by Contractor)**

The use of publicly owned equipment on a project going to bid must be justified with a Public Interest Finding. The local agency may approve the use provided it meets conditions described in Chapter 12. Check the appropriate box.

**B. Equipment Purchases for Local Ownership**

The cost of equipment purchased by the local agency or by the contractor with ownership transferred to the local agency for construction engineering is limited. Check the appropriate box.

**C. Convict Produced Materials**

Materials produced by convict labor may be used on any Federal-aid project if they meet certain conditions.

Check appropriate box.

**D. Local Agency Furnished Materials**

The use of local agency furnished materials not acquired on the basis of competitive bidding must be supported by a Public Interest Finding justifying the use (see Section 12.13 of Chapter 12). The justification must be approved by the local agency and documented in the project files. If these materials are included, check the appropriate box indicating the method of acquisition.

**XV. PRELIMINARY ESTIMATE**

An estimate of the contract items of work must be prepared in a format which describes the items of work, unit amount, quantity, unit price, amount, a subtotal, contingencies and a total (Exhibit 12-A *Preliminary Estimate of Cost* or equivalent). The estimate must be broken down into items sufficient in detail to meet the stated requirements. Check boxes if these requirements are met.

If the project is funded with more than one type of Federal-aid it must be segregated by fund types (see Chapter 3, "Project Authorization," of the LAPM). Check box if this requirement is met.

**XVI. MAJOR PROJECTS WITH TOTAL COSTS EXPECTED TO EXCEED \$100 MILLION OR \$500 MILLION**

The federal SAFETEA-LU requires that a local agency receiving an amount of federal financial assistance for "major" projects with an estimated total cost exceeding \$100 million must have a financial plan and projects exceeding \$500 million must also have a project management plan. For details of the required submittal and approval of these two plans, which are required for all "major" projects exceeding the two estimated total costs, refer to Chapter 2 "Roles and Responsibilities" of the LAPM .

**XVII. LOCAL AGENCY SIGNATURE**

The Federal Contract Provisions Checklist shall be signed by the person preparing the contract specifications. The checklist shall be signed even if prepared by the same person who will sign the PS&E Certification.

**XVIII. CALTRANS ACCEPTANCE**

Caltrans will indicate the appropriate acceptance statement based on the type of review, as described in Chapter 12, "Plans, Specifications & Estimate," of the LAPM and sign the bottom o